

BEFORE THE JUDICIAL QUALIFICATIONS COMMISSION
STATE OF FLORIDA

INQUIRY CONCERNING JUDGE
SCOTT A KENNEY; JQC
No.: 98-198,

SUPREME CT. CASE NO. SC01-1424

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ORDER

A hearing before the JQC Hearing Panel on the Formal Charges in this matter is scheduled for Monday, January 7, 2002. This hearing will occur in a courtroom to be announced in the St. Lucie County Courthouse, Ft. Pierce, Florida, to begin at 9:00 a.m. The members of the Hearing Panel are (1) Judge James Jorgenson (Chair), (2) Judge Peggy T. Gehl, (3) attorney John Frost, (4) attorney Martin Garcia, (5) lay member Bonnie Booth and (6) lay member Reverend Randolph Bracy, Jr. All pleadings are to be filed in the Florida Supreme Court and copies of all pleadings shall be served on the Chair of the Panel and on all attorneys and other persons on the attached list.

A preliminary telephonic prehearing conference is scheduled for Thursday, December 20, 2001 at 3:00 p.m. The call-in number is (850) 425-5429 at the office of attorney John Beranek in Tallahassee. A court reporter will be provided by the JQC and counsel will be furnished copies of the transcript. At least 7 days before the prehearing conference, counsel shall, by fax or delivery, provide the Chair and all other counsel with a Prehearing Statement containing schedules of all of the witnesses to be called and all of the exhibits to be introduced as they are known to

counsel. The subject matter of the testimony of each witness shall be stated in the schedule. These schedules may be supplemented only in accordance with future orders of this Panel.

Before the preliminary telephonic conference, counsel shall confer concerning the anticipated hearing and be prepared to discuss and make commitments concerning the following:

(1) Length of trial. Counsel shall state their good faith estimates of the time required to try the case by the prosecution and the case by the respondent.

(2) Factual stipulations. Counsel are urged to stipulate to facts which are not genuinely contested and to be prepared to give details on such factual agreements at the conference.

(3) Discovery. Counsel shall complete all depositions prior to the conference. If this cannot be accomplished then counsel shall disclose all further depositions that are anticipated and advise why this discovery has not yet been completed.

(4) Undisposed of motions and other issues. Any undisposed of motions shall be argued at the preliminary conference and shall be delivered to opposing counsel and the Chair at least 7 days before the conference. Counsel shall further advise of the nature of any particular legal issues which are anticipated to arise and require rulings at the final hearing.

(5) Amendments to charges and defenses. If there are any proposed amendments to the charges or the defenses, they shall be

filed prior to the conference and the Chair will consider and rule upon all such requested amendments.

(6) Inspection of exhibits. Counsel shall exchange all exhibits before the conference for inspection by opposing counsel. Counsel shall confer concerning their objections prior to the conference.

(7) Limitation on witnesses. Pursuant to the general policy of the Hearing Panel, the parties are notified that at the formal hearing the Judge will be limited to a total of three live character witnesses. In addition to these witnesses, affidavits as to character may be filed by the Judge and will be considered by the Hearing Panel. Counsel will also be called upon to consider other appropriate limitations on witnesses.

SO ORDERED this 20th day of November, 2001.

**FLORIDA JUDICIAL QUALIFICATIONS
COMMISSION**

By: s/s JAMES R. JORGENSEN
JUDGE JAMES R. JORGENSEN,
Chairman, Hearing Panel,
Florida Judicial Qualifications
Commission
1110 Thomasville Road
Tallahassee, Florida 32303
850/488-1581
850/922-6781 (fax)

Copies furnished in accordance with the attached list.

Joe Reiter
Counsel to the Judge
Lytal, Reiter, Clark, Fountain
& Williams, LLP
P.O. Box 4056
West Palm Beach, FL 33402-4056
(561) 655-1990
(561) 832-2932 (fax)

John R. Lawson, Jr.
Special Counsel
Post Office Box 1100
Tampa, FL 33601-1100

Thomas C. MacDonald, Jr.
General Counsel
100 N. Tampa Street
Suite 2100
Tampa, Florida 33602
(813) 221-2500
(813) 226-8826 (fax)

John Beranek
Counsel to the Hearing Panel
Ausley & McMullen
P.O. Box 391
Tallahassee, Florida 32302
(850) 224-9115
(850) 222-7560 (fax)

Brooke Kennerly
Florida Judicial Qualifications
Commission
1110 Thomasville Road
Tallahassee, Florida 32303
(850) 488-1581
(850) 922-6781 (fax)